

Applicants: Holloway et al.

Serial No.: 10/085,167

Filed: February 27, 2002

For: SECRETED PROTEIN ZACRP4

REMARKS

In response to the Restriction Requirement mailed October 21, 2003, Applicants elect, with traverse, Group I, claims 1-13 and 16, drawn to an isolated polypeptide comprising a first C1q domain comprising a sequence of SEQ ID NO:3, 10 beta strands, a cysteine residue and a second C1q domain joined to the carboxy terminal of said first C1q domain. Applicants reserve the right to pursue examination of the non-elected claims in continuation or divisional applications.

Applicants respectfully request reconsideration and modification of the restrictions in this case and submit that the inventions as claimed can be readily evaluated in one search without placing undue burden on the Examiner. That is, all the claims are so interrelated that a search of one group of claims will reveal art to the others.

Were restriction to be effected between the claims of Groups I-XXVII, a separate examination of the claims in these twenty-seven groups would require substantial duplication of work on the part of the U.S. Patent and Trademark Office. Even though some additional consideration would be necessary, the scope of analysis of novelty of all the claims of Groups I-XXVII would have to be as rigorous as when only the claims of Group I, for example, were being considered by themselves. Clearly, this duplication of effort would not be warranted where these claims of different categories are so interrelated. Further, Applicants submit that for restriction to be effected between the claims in Groups I-XXVII, it would place an undue burden by requiring payment of twenty-six separate filing fees for examination of the nonelected claims, as well as the added costs associated with prosecuting eight applications and maintaining twenty-seven patents.

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The Examiner is invited to contact the undersigned at (206) 442-6540 if prosecution of this application may be assisted thereby.

Respectfully Submitted,



Brian J. Walsh
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Enclosures:

Petition and Fee for Extension of Time (in duplicate)

Preliminary Amendment

Amendment Fee Transmittal (in duplicate)

Postcard